

109TH CONGRESS  
1ST SESSION

# S. 2130

To clarify the legal standard needed to use cellular telephones as tracking devices.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2005

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To clarify the legal standard needed to use cellular telephones as tracking devices.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CONTENTS OF WIRE OR ELECTRONIC COMMU-**  
4       **NICATION.**

5       Section 2510(8) of title 18, United States Code, is  
6       amended by inserting before the semicolon the following:  
7       “and contemporaneous, real-time, or prospective informa-  
8       tion regarding the physical location of a cellular tele-  
9       phone”.

1 **SEC. 2. TRACKING DEVICES.**

2       Section 3117(b) of title 18, United States Code, is  
3 amended by inserting before the period the following: “,  
4 including a cellular telephone for which the government  
5 seeks contemporaneous, real-time, or prospective informa-  
6 tion regarding the physical location of such phone”.

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